

February 17, 2009

TO: Members of the MAG Regional Council

FROM: Councilmember Peggy Neely, Phoenix, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Meeting - 5:00 p.m.
Wednesday, February 25, 2009
MAG Office, Suite 200 - Saguaro Room
302 North 1st Avenue, Phoenix

Dinner - 6:30 p.m.
MAG Office, Suite 200

The next MAG Regional Council meeting will be held at the MAG offices at the time and place noted above. Members of the Regional Council may attend either in person, by videoconference or by telephone conference call. Members who wish to remove any items from the Consent Agenda are requested to contact the MAG office. MAG will host a dinner/reception for the Regional Council members following the meeting in the MAG Cholla Room on the 2nd floor. Supporting information is enclosed for your review.

Please park in the garage underneath the building. Parking places will be reserved for Regional Council members on the first and second levels of the garage. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions, please call the MAG office.

c: MAG Management Committee

**MAG REGIONAL COUNCIL
TENTATIVE AGENDA
February 25, 2009**

	<u>COUNCIL ACTION REQUESTED</u>
1. <u>Call to Order</u>	
2. <u>Pledge of Allegiance</u>	
3. <u>Call to the Audience</u> An opportunity will be provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.	3. Information.
4. <u>Executive Director's Report</u> The MAG Executive Director will provide a report to the Regional Council on activities of general interest.	4. Information and discussion.
5. <u>Approval of Consent Agenda</u> Council members may request that an item be removed from the consent agenda. Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items. Consent items are marked with an asterisk (*).	5. Approval of the Consent Agenda.

ITEMS PROPOSED FOR CONSENT*

MINUTES

*5A. <u>Approval of the January 28, 2009, Meeting Minutes</u>	5A. Review and approval of the January 28, 2009, meeting minutes.
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TRANSPORTATION ITEMS***5B. Recommendation to ADOT's Safe Routes to School Program**

A total of \$2,255,000 is available statewide for safety improvement projects through grants from the Arizona Department of Transportation's (ADOT) Safe Routes to School (SRTS) Program. The program provides grants to public and non-profit agencies for projects that improve road safety and encourage more K-8 children to walk or bike to their neighborhood schools. This is the third cycle of the program, and grants will be provided to projects that implement infrastructure improvements as well as projects that would involve education, training and encouragement. In response to the ADOT request for proposals announced in October 2008, a total of 17 project applications from the MAG region was received by ADOT. The ADOT proposal review process stipulates that MPOs and COGs are required to recommend a ranked list of projects to ADOT by February 28, 2009. These recommendations will be considered by a statewide SRTS panel that will make a final recommendation to ADOT. The MAG Transportation Safety Committee reviewed all project proposals, and on January 27, 2009, recommended a ranked list of projects from the region as the MAG recommendation to ADOT. The MAG Management Committee concurred with the recommendation. Please refer to the enclosed material.

***5C. Pedestrian and Bicycle Design Assistance Programs**

The FY 2009 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2008, includes \$150,000 for the Pedestrian Design Assistance Program and \$250,000 for the Bicycle/Shared-Use Design Assistance program. According to federal law, any project which is not constructed after being designed with federal transportation funds could be required to return the funds used for design to the Federal Highway Administration. Eight project applications were

5B. Approval of the ranked list of projects to be submitted to the Arizona Department of Transportation for the Safe Routes to School Program.

5C. Approval of the following projects for funding for the Pedestrian Design Assistance Program: Phoenix - 11th Street Streetscape in Historic Garfield District (\$80,000); and Fountain Hills - Saguaro Ranch Park (\$70,000); and recommend approval of the following projects for the Bicycle/Shared-Use Design Assistance Program: Tempe/Mesa Rio Salado Shared-Use Path (\$142,000; Buckeye - BID Canal Multi-Use Path (\$58,000); and Glendale - Neighborhood Access Improvements for Multi-Use Pathways (\$50,000).

submitted by member agencies for the program. On January 20, 2009, the MAG Bicycle Task Force and the MAG Pedestrian Working Group recommended five projects for approval. The MAG Transportation Review Committee and the MAG Management Committee recommended the five Design Assistance projects for approval. Please refer to the enclosed material.

AIR QUALITY ITEMS

*5D. Conformity Consultation

A list of projects for an amendment and administrative modification to the FY 2008-2012 MAG Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2007 Update may be developed following the passage of the federal American Recovery and Reinvestment Act of 2009 into law. In response to the expedited time frames for transportation projects in the Act, the Maricopa Association of Governments will conduct consultation on a conformity assessment if projects are submitted for a proposed amendment and administrative modification. It is anticipated that the proposed amendment may include projects that may be categorized as exempt from a conformity determination and administrative modifications that do not require a conformity determination.

*5E. MAG Eight-Hour Ozone Redesignation Request and Maintenance Plan for the Maricopa Nonattainment Area

The MAG Eight-Hour Ozone Redesignation Request and Maintenance Plan demonstrates that the eight-hour ozone standard of .08 parts per million will continue to be met through 2025 with existing measures in place. This standard was established by the Environmental Protection Agency in 1997. No violations of this ozone standard have occurred since 2004. The Environmental Protection Agency is being requested to redesignate this area to attainment status. The MAG Air Quality Technical Advisory Committee and the MAG Management Committee recommended adoption of the MAG

5D. Consultation.

5E. Adoption of the MAG Eight-Hour Ozone Redesignation Request and Maintenance Plan for the Maricopa Nonattainment Area.

Eight-Hour Ozone Redesignation Request and Maintenance Plan for the Maricopa Nonattainment Area. Please refer to the enclosed material.

GENERAL ITEMS

*5F. MAG Regional Human Services Plan for FY 2010

The MAG Regional Human Services Plan approved by the MAG Regional Council in 2006, has been updated to reflect funding allocation recommendations for the Social Services Block Grant (SSBG) and to identify new human services transportation coordination goals as required by SAFETEA-LU. The plan also presents an assessment of human services delivery in the region while highlighting useful practices implemented by member agencies to address the impact of the economy on human services. On January 8, 2009, the MAG Human Services Technical Committee recommended approval of the SSBG allocation recommendations and the major elements to be included in the MAG Regional Human Services Plan for FY 2010. On January 20, 2009, the MAG Human Services Coordinating Committee recommended approval of the MAG Regional Human Services Plan for FY 2010 including the new human services transportation coordination goals and the SSBG allocation recommendations. The MAG Management Committee concurred with the recommendation of the Committee. Please refer to the enclosed material.

*5G. MAG Continuum of Care Regional Committee on Homelessness Regional Plan to End Homelessness

The MAG Regional Plan to End Homelessness, developed by the MAG Continuum of Care Regional Committee on Homelessness, was approved by the MAG Regional Council in 2005. The MAG Continuum of Care Regional Committee on Homelessness, with more than 70 stakeholders, has developed a new Regional Plan that takes a fresh look at the issues surrounding homelessness in the region with goals and action steps to address homelessness in the community. The MAG Continuum of Care Regional

5F. Approval of the MAG Regional Human Services Plan for FY 2010, which includes recommending approval of the Social Services Block Grant allocation recommendations and the new human services transportation coordination goals.

5G. Approval of the MAG Continuum of Care Regional Committee on Homelessness Regional Plan to End Homelessness.

Committee on Homelessness and the MAG Management Committee recommended approval of the Regional Plan. Please refer to the enclosed material.

*5H. Development of the FY 2010 MAG Unified Planning Work Program and Annual Budget

Each year, the MAG Unified Planning Work Program and Annual Budget is developed in conjunction with member agency and public input. The Work Program is reviewed each year by the federal agencies in April and approved by the Regional Council in May. To provide an early start in developing the Work Program and Budget, staff is providing a draft of the program's proposed new projects. These projects will continue to be reviewed and refined leading up to the adoption of the FY 2010 MAG Unified Planning Work Program and Annual Budget in May. To gain additional input, a Budget Webinar is scheduled for February 19, 2009. Please refer to the enclosed material.

5H. Information.

ITEMS PROPOSED TO BE HEARD

TRANSPORTATION ITEMS

6. Reinvestment and Recovery Act Update

On February 17, 2009, President Obama signed the Reinvestment and Recovery Act. The national Highway Infrastructure Investment component of the legislation is \$27.5 billion. The State of Arizona is expected to receive \$521.9 million for highway infrastructure. For transit, \$8.4 billion was allocated nationally. Arizona is expected to receive \$100.5 million. The legislation contains \$1.5 billion nationally for a competitive grants component.

For the highway portion, the Arizona Department of Transportation (ADOT) has 120 days to obligate 50 percent of the funding. The ADOT portion is \$349.7 million plus \$15.66 million for transportation enhancements. The legislation also sub-allocates 30 percent of the funding (\$156.57 million) to local jurisdictions. The amount being suballocated to MAG has not been officially

6. Information, discussion and possible action.

transmitted yet by the Federal Highway Administration, however, MAG staff believes about \$88 million would be allocated directly to the MAG region. Metropolitan Planning Organizations have one year to obligate the funds.

The regional portion for transit is in the range of \$65 million to \$75 million. The legislation requires that 50 percent of the transit funds be obligated within 120 days. Transit planning staff has a working group meeting scheduled for February 19, 2009, to review potential projects for funding.

The federal planning requirements for the funds remain. Federal law requires that the financial plan be developed by the MPO in cooperation with the state and transit operator. The state and transit operator must provide the MPO with estimates of available federal and state funds. Also, projects for federal discretionary funds need to be cooperatively developed between MAG and ADOT. MAG has been holding workshops to further refine the list of projects to determine which projects are ready to implement. Coordination is ongoing with ADOT to determine the ADOT discretionary amount for this region and the projects to be selected. A report will be provided to the Transportation Policy Committee on February 18, 2009, regarding the progress being made on the revenue estimate and the selection of projects. The State Transportation Board will be meeting on these issues on February 20, 2009.

Depending on the progress being made, the ADOT discretionary projects for this region may be ready for consideration. This is important due to the shorter time frame for ADOT to obligate projects (120 days). The transit projects also have a short time period to obligate transit projects (180 days). If agreement is reached on the transit projects, possible action may be considered. It is anticipated that updated information will be forwarded following the mailing of the agenda. It is expected that the projects for suballocation may be ready at a future

meeting. The TPC will discuss the suballocation process at its meeting on February 18, 2009, and a report will be provided to the Regional Council.

7. Project Changes – Amendment and Administrative Modification to the FY 2008-2012 MAG Transportation Improvement Program for Funding from the American Recovery and Reinvestment Act of 2009

On February 13, 2009, the United States Senate and House of Representatives passed the American Recovery and Reinvestment Act of 2009. Presidential action is expected the week of February 17, 2009. The components of the bill and policy implications were discussed in a separate agenda item: Federal Economic Recovery/Stimulus Update. In response to the expedited time frames for transportation projects in the Act, amending and administratively modifying the 2008-2012 Transportation Improvement Program (TIP) and, as appropriate, the Regional Transportation Plan (RTP) 2007 Update, may be necessary to move projects forward. The FY 2008-2012 TIP and RTP 2007 Update were originally approved by the MAG Regional Council on July 25, 2007. MAG staff and MAG member agencies have been working collaboratively together through working group meetings on reviewing projects. It is anticipated that a proposed list of projects to be programmed with the Economic Recovery/Stimulus funds may be developed prior to the Regional Council meeting. If a proposed list of projects is drafted, it will be transmitted to the Regional Council.

8. Transportation Planning Update

Staff will present an update of the financial status of the MAG Freeway Program, introduce the peer review process that is currently underway to look at the planned freeway projects in the central area, and provide a summary of the specific corridors and project components that could be changed or delayed as updates to the Regional Transportation Plan, and revised schedule for the freeway program update process.

7. Information, discussion and possible action to amend and make administrative modifications to the FY 2008-2012 MAG Transportation Improvement Program for funding from the American Recovery and Reinvestment Act of 2009.

8. Information and discussion.

AIR QUALITY ITEMS9. Proposed Strawman Option for a Revised Eight-Hour Ozone Nonattainment Area Boundary

By March 12, 2009, the Governor is required to recommend nonattainment area boundaries to the Environmental Protection Agency (EPA) for the revised eight-hour ozone standard. The Environmental Protection Agency had strengthened the standard by lowering it from .08 parts per million to .075 parts per million on March 12, 2008. The Arizona Department of Environmental Quality (ADEQ) has been conducting a stakeholder process to discuss a Strawman Option for a Revised Eight-Hour Ozone Nonattainment Area Boundary. The ADEQ is proposing to extend the boundary only where absolutely necessary, primarily to include some power plants. The deadline for submitting comments on the Strawman Option to ADEQ is the close of business on February 26, 2009. Following the consideration of comments, ADEQ will make a recommendation to the Governor. Please refer to the enclosed material.

9. Information, discussion and possible action.

GENERAL ITEMS10. Legislative Update

An update will be provided on legislative issues of interest.

10. Information and discussion.

11. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

11. Information.